

REMARKS

Favorable reconsideration is respectfully requested.

The claims are 17 to 27.

The above amendment presents a new set of claims responsive to points set forth in the Official Action.

Support is evident from the specification and in particular, page 3, line 15 to page 4, line 26.

The significance of the new claims will be apparent from the remarks below.

With regard to Official Action paragraph 3, the points on indefiniteness referred to therein are not present in the new claims.

Previous claims 1, 3, 5 to 9, 11 to 13 and 15 to 16 were rejected under 35 U.S.C. 102(b) as being anticipated by Keen (U.S. 4,324,835).

Previous claims 1, 3, 5 to 9, 11 to 13 and 15 to 16 were rejected under 35 U.S.C. 102(e) as being anticipated by Prig et al. (U.S. 6,617,382).

Previous claims 1, 3, 5 to 9, 11 to 13 and 15 to 16 were rejected under 35 U.S.C. 103(a) as being unpatentable over Blount (U.S. 5,721,281).

These rejections are respectfully traversed.

The main difference between prior art and the present claims is as follows:

The present claims are directed to flexible foams which, after they have been applied from a one-component or two-component spray can, gun or cartridge, expand a second time in a fire and thus form a hot gas seal. See page 4, lines 24 to 30 of the present specification in this regard.

The foams as presently claimed are then introduced directly on site into the areas to be sealed and foam there to give the desired fire barrier.

In a fire, the foams according to the invention expand a second time, the second expansion factor (EF) being from 1.5 to 15.

Owing to this second expansion, the foams according to the invention are outstandingly suitable as a hot gas seal or as a heat-insulating soft barrier.

In addition, the subsequently expanding foams according to the invention achieve a substantially longer fire resistance time than conventional foams (see examples).

Each of the prior art documents disclose intumescent compositions, which are coated on an open celled plastic article or on fibers or other articles i.e. coating compositions, which expand only once, namely when exposed to fire (see Keen, Example 4).

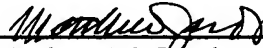
For the foregoing reasons, it is apparent that the prior art rejections are inapplicable to the present claims and should be withdrawn.

No further issues remaining, allowance of this application is respectfully requested.

If the Examiner has any comments or proposals for expediting prosecution, please contact undersigned at the telephone number below.

Respectfully submitted,

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